

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

*

v.

CRIMINAL NO. PX-19-181

RONDELL HENRY,

*

Defendant

*

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**ORDER GRANTING CONTINUANCE
PURSUANT TO 18 U.S.C. § 3161(h)**

Upon consideration of the Consent Motion To Exclude Time Pursuant to 18 U.S.C. § 3161, the Court makes the following findings:

1. On April 3, 2019, United States Magistrate Judge Charles B. Day authorized a criminal complaint charging the defendant with violating 18 U.S.C. § 2312. An initial appearance was held the following day, after the defendant's arrest.
2. On April 10, 2019, a federal grand jury for the District of Maryland returned an indictment charging the defendant with violating 18 U.S.C. § 2312. ECF No. 13.
3. An arraignment on the indictment was held on April 29, 2019. During the arraignment, the parties were apprised of a motions deadline set for May 20, 2019, and a status call set for 10:00 a.m. on May 21, 2019.
4. The Government filed a motion to toll the Speedy Trial clock from April 29, 2019, through May 21, 2019, ECF No. 18, which the Court granted, ECF No. 19.
5. The Government filed a second motion to toll the Speedy Trial clock from April 29, 2019, through June 24, 2019, ECF No. 21, which the Court granted, ECF No. 23.

6. The parties and Court held a status call on June 24, 2019. On the status call, the parties sought an additional status call on July 29, 2019. After the later status call, the Court entered a scheduling order, setting a motions deadline of September 13, 2019. ECF No. 25. The Government now moves to toll the Speedy Trial clock for the time from June 24, 2019, through and including September 13, 2019.

7. In accordance with the Speedy Trial Act, 18 U.S.C. § 3161(c), the trial of a defendant charged in an information or indictment shall commence within seventy days from the filing date of the information or indictment, or from the date the defendant appeared before a judicial officer, whichever date last occurs.

8. However, pursuant to 18 U.S.C. § 3161(h)(7), the Court may grant a continuance of speedy trial when the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Here, the parties believe that the ends of justice are served by the continuance because (1) defense counsel has stated the need for additional time for client-related reasons, and (2) the Government is considering seeking a superseding indictment that would require an additional motions schedule.

9. The Government moves to exclude the time from June 24, 2019, through September 13, 2019, in computing the time within which trial must commence under 18 U.S.C. § 3161(h)(7). This exclusion will provide sufficient time for defense counsel to determine certain client-related issues, as well as for the Government to determine whether to seek a superseding indictment.

10. The defendant, through counsel, consents to this motion.

WHEREFORE, in the interest of the defendant and the interests of the public, it is
HEREBY ORDERED that the time from June 24, 2019, through September 13, 2019, be
excluded in computing the time within which trial must commence.

8/28/19

Date

/S/

Honorable Paula Xinis
United States District Judge